

MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1714

PATENT  
RECEIVED  
09/856,845  
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IN THE U.S. PATENT AND TRADEMARK OFFICE

APR 19 2004

Applicant: Akira SAITO et al Conf.: 4751  
Appl. No.: 09/856,845 Group: 1714  
Filed: May 25, 2001 Examiner: Wyrozebski, Katarzyna  
For: RUBBER COMPOSITIONS

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

OFFICIAL

MS AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 19, 2004

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated 10/21/2003 of the Primary Examiner finally rejecting claims 1-15, 24 and 25.

☒ This document is being transmitted via facsimile to (703)872-9306.

The applicant(s) hereby petition(s) for an extension of three (3 ) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

☒ An extension of one (1 ) month(s) for responding to the Final Rejection was previously requested and paid for on 02/19/2004. Thus a fee of \$840 is required to obtain an additional two (2 ) month(s) for filing the Notice of Appeal.

Appl. No. 09/856,845

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$330.00

☐ Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,170.

Payment of the above TOTAL FEE is being made in the following manner:

☐ Check(s) in the amount of \$0.00 is/are enclosed.


☒ Please charge Deposit Account No. 02-2448 in the amount of \$1,170.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
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Fax:	703 872-9306	Date:	April 19, 2004
Phone:		Pages:	3 (including cover sheet)
Your Ref.:		Our Ref.:	0649-0777US
Re:	Application of Akira Saito, et al	cc:	
	U.S. Patent Appl. No. 09/856,845		
	For RUBBER COMPOSITIONS		

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☒ For Filing

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Comments:

## NOTICE OF APPEAL